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Genesis Card Services

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

DANIEL J. COLVIN,) Cause No.:
)
Plaintiff,)
) NOTICE OF REMOVAL
vs.)
)
GENESIS CARD SERVICES,)
)
Defendant.)
_____)

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

Pursuant to 28 U.S.C. §§ 1331 and 1441 *et seq.*, and 15 U.S.C. § 1692 *et seq.*, defendant, Genesis FS Card Services, Inc., incorrectly named as Genesis Card Services ("Defendant"), hereby gives notice of removal of this cause of action, under the caption *Daniel J. Colvin v. Genesis Card Services*, from the 6th Judicial Court, Park County, Montana ("State Court Action") to the United States District Court for the District of Montana. In support of removal, Defendant, by and through its attorneys, states as follows:

1. Defendant was served in this matter on June 1, 2020. The matter was venued in the 6th Judicial Court, Park County, Montana. True and correct copies of the state court pleadings are attached hereto and marked as Exhibit "A".

2. This action is a civil action of which this Honorable Court has original jurisdiction under 28 U.S.C. § 1331, and is one which may be removed to this Court by Defendant pursuant to 28 U.S.C. § 1441 in that it presents a federal question, wherein Plaintiff alleges violations of the Fair Debt Collection Practices Act ("FDCPA").

3. As Defendant was served on June 1, 2020, this removal is timely.

4. Notice of this removal will be sent to 6th Judicial Court, Park County, Montana and served on Plaintiff.

WHEREFORE, Defendant requests that further proceedings in the 6th Judicial Court, Park County, Montana, be discontinued and that this action be removed in its entirety to the United States District Court for the District of Montana, which will then assume full jurisdiction over this cause of action.

Dated: June 19, 2020.

CROWLEY FLECK PLLP

By: /s/ David F. Knobel
David F. Knobel
P. O. Box 2529
Billings, MT 59103-2529

Attorneys for Defendant Genesis Card Services

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on June 19, 2020 he served a copy of the attached Notice of Removal and Exhibit A upon Daniel J. Colvin, by mailing a true and correct copy with postage prepaid, addressed as follows

- ☒ U.S. Mail
- ☐ Electronic mail
- ☐ Facsimile
- ☐ Hand delivery
- ☐ Certified mail, return receipt

Daniel J. Colvin
81 Old Clyde Park Road
Livingston, MT 59047
Pro Se Plaintiff

/s/ David F. Knobel

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